

## Article - General Provisions

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§5–520.

(a) The Joint Ethics Committee shall adopt written procedures for conducting a hearing to consider a complaint, an allegation summary, and a written answer, if any.

(b) The written procedures adopted by the Joint Ethics Committee under subsection (a) of this section:

(1) shall be available for public inspection;

(2) shall be provided to the legislator who is the subject of a hearing;

(3) shall allow the accused legislator to:

(i) be represented by counsel;

(ii) cross-examine witnesses; and

(iii) be provided an opportunity to inspect, in a reasonable manner, any records that the Joint Ethics Committee intends to use during the hearing, subject to limitations established by the Joint Ethics Committee in the written procedures; and

(4) subject to items (1) and (2) of this subsection, may be amended by the Joint Ethics Committee at any time.

(c) (1) (i) If the Joint Ethics Committee determines that a hearing is required under § 5–519(b)(2) of this subtitle, the Joint Ethics Committee, by a two-thirds vote of its full membership, may issue one or more subpoenas that require the appearance of a person, the production of relevant records, and the giving of relevant testimony.

(ii) If the Joint Ethics Committee exercises subpoena powers under this paragraph, the legislator who is the subject of the investigation may require the Joint Ethics Committee to issue one or more subpoenas on the legislator's behalf.

(2) A request to appear, an appearance, or a submission of evidence does not limit the subpoena power of the Joint Ethics Committee.

(3) A subpoena issued under paragraph (1) of this subsection shall be served:

(i) in the manner provided by law for service of a subpoena in a civil action;

(ii) before the time that the subpoena sets for appearance or production of records; and

(iii) with the following documents:

1. a copy of this title;

2. a copy of the rules of the Joint Ethics Committee;  
and

3. if the subpoena requires the appearance of a person, notice that counsel may accompany the person.

(4) A person who is subpoenaed to appear at a hearing is entitled to receive the fees and allowances that are provided for a person who is subpoenaed by a circuit court.

(5) A person may be held in contempt if the person unjustifiably:

(i) fails or refuses to comply with a subpoena for appearance;

(ii) appears but fails or refuses to testify under oath; or

(iii) disobeys a directive of the presiding chair at the hearing to answer a relevant question or to produce a record, including an electronic record, that has been subpoenaed, unless the directive is overruled by a majority vote of the members of the Joint Ethics Committee who are present at the hearing.

(6) By a two-thirds vote of its full membership, the Joint Ethics Committee may apply for a contempt citation to a circuit court.

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